

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/680,608

Applicant(s)

GELVIN ET AL.

Examiner

ADNAN MIRZA

Art Unit

2445

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 September 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
 Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 65-68.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
 13. ☐ Other: _____.

/VIVEK SRIVASTAVA/
 Supervisory Patent Examiner, Art Unit 2445

Continuation of 3. NOTE: The amended claims 66,68,69,72,77,82-83,86-87 that would require further research and consideration.

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argued that Beckert did not disclose, "authenticating devices connected to the AMI-C bus". As to applicant's argument Beckert disclosed, "The security system 146 is connected to actuators which lock/unlock doors and windows, and to an alarm which can be activated upon detection of unwanted tampering. An OBD (On Board Diagnostic) interpreter 128 is provided in the computer module to communicate with the OBD system built into the vehicle by the manufacturer. The OBD interpreter 116 interprets the status data received and provides performance related information from the vehicle's OBD system to the microprocessor 100. Also, commands can be provided to the interpreter which allows non-critical car systems to be controlled.

(21) A more detailed explanation of the three modules in the vehicle computer system is provided in co-pending U.S. patent application Ser. No. 08/564,586 entitled "Vehicle Computer System," which was filed on Nov. 29, 1995 in the names of Richard D. Beckert, Mark M. Moeller, and William Wong. This application is assigned to Microsoft Corporation and is incorporated herein by reference.

(22) The logic unit 90 within the support module 62 is configured with its own multi-bit bus structure that is separate from the bus of the microprocessor 130 of the computer module 64. The logic unit 90 and microprocessor 130 are interfaced using a bus, such as PCI bus 66. By configuring the logic unit 90 with its own bus, the logic unit 90 is capable of better performing its tasks independent of intervention from the microprocessor 130. Moreover, the internal bus of the logic unit 90 facilitates data communication between the audio components and other serial devices while using minimal processing resources of the microprocessor 130.

(23) FIG. 4 shows a preferred implementation of an internal bus structure 140 of the logic unit 90 of the support module and the interface between the internal bus 140 and external devices. The internal multi-bit bus structure 140 includes an address bus 142, a data bus 144, and a control bus 146. In the illustrated implementation, the data bus 144 is a 32-bit bus and the address bus 142 is a sufficiently large to support in parallel at least 19 address bits, such as through a 32-bit bus. The busses are tri-state busses which are driven by one of several sources. An internal bus arbiter 148 determines which device is in control of the bus structure 140 (col. 7, lines 20-60)".